

Item W05-07 Response Form

Title: Child Support: Miscellaneous Technical Changes Relating to the Child Support Case Registry (revise forms FL-191, FL-630, FL-632, and FL-692)

- ☐ **Agree** with proposed changes
- ☐ **Agree** with proposed changes **only if modified**
- ☐ **Do not agree** with proposed changes

Comments: _____

Name: _____ Title: _____

Organization: _____

Address: _____

City, State, Zip: _____

Please **write** or **fax** or **respond using the Internet** to:

Address: Ms. Romunda Price,
Judicial Council, 455 Golden Gate Avenue,
San Francisco, CA 94102
Fax: (415) 865-7664 **Attention:** Romunda Price
Internet: www.courtinfo.ca.gov/invitationstocomment

DEADLINE FOR COMMENT: 5:00 P.M Friday, February 4, 2005

Your comments may be written on this *Response Form* or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

<i>Circulation for comment does not imply endorsement by the Judicial Council or the Rules and Projects Committee. All comments will become part of the public record of the council's action.</i>
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Title	Child Support: Miscellaneous Technical Changes Relating to the Child Support Case Registry (revise forms FL-191, FL-630, FL-632, and FL-692)
Summary	<p>This packet was approved by the Judicial Council at the October 15, 2004 meeting for a January 1, 2005, effective date without circulation for comment, but with the recommendation that it be circulated for public comment, with the winter 2005 proposals. Changes made as a result of this comment process would become effective July 1, 2005. The form revisions facilitate the Department of Child Support Services' (DCSS's) establishment of individual support accounts to comply with rolling out the state disbursement unit that is to occur no later than September 30, 2005.</p>
Source	Family and Juvenile Law Advisory Committee Hon. Mary Ann Grilli and Hon. Susan D. Huguenor, Co-chairs
Staff	Rita G. Mah, Senior Attorney, 415-865-7670
Discussion	<p>Section 654 of title 42 of the United States Code section 654 requires that each state set up a state disbursement unit to be the point of collection and distribution of all child support paid by wage assignment. In addition, each state must maintain a case registry of child support actions. The case registry contains information on both the obligor and obligee in these actions, such as the names, identification numbers, and addresses of both parents; the amount of support orders; and other standardized information. The case registry facilitates the accurate collection and distribution of child support through the state disbursement unit. In California, the DCSS is the agency responsible for both the state disbursement unit and the case registry. Failure to comply with these requirements would subject the state to substantial federal penalties.</p> <p>The Family and Juvenile Law Advisory Committee recommends that the following Judicial Council forms, revised effective January 1, 2005, be circulated for public comment and that any changes resulting from the public comment period become effective July 1, 2005.</p> <p>Revised form FL-191, <i>Child Support Case Registry Form</i>, clarifies in item 1(c) that a wage assignment has been issued and indicates the amount of past-due support. The information sheet has been revised to correspond to these changes. These revisions would provide for</p>

the gathering of information needed for the state Child Support Case Registry and for compliance with federal mandates. Other changes would be made to comply with new forms guidelines and to correct typographical errors.

Revised form FL-630, *Judgment Regarding Parental Obligations (Governmental)*. Form FL-630 is initially attached as an exhibit to the summons and complaint with box 1(a), "Notice: THIS IS A PROPOSED JUDGMENT," marked. The form is subsequently filed as the judgment with box 1(b), "NOTICE: THIS IS A JUDGMENT," marked instead of box 1(a). This form would require in item 6(i) that parents notify the agency of any changes in employment or residence. Under the proposed state disbursement system, updated information would be transmitted electronically rather than manually. Other changes would be made to comply with new forms guidelines and to correct typographical errors.

Revised form FL-632, *Notice Regarding Payment of Support (Governmental)*, provides specific directions in item 7 for a parent to report changes in his or her place of residence or employment to the Child Support Case Registry. This notice is provided to the court and the parents when the local child support agency begins or terminates involvement in a case. Under the proposed state disbursement system, if the agency is involved, reported changes would be transmitted electronically from the agency to the disbursement unit. In nonagency support cases, the information would be transmitted manually from the court to the disbursement unit. The revision includes a notice to the parents that, upon termination of the local child support agency's services, any changes in place of residence or employment must be reported to the court by completing and submitting form FL-191, *Child Support Case Registry Form*. Other changes would be made to comply with new forms guidelines and to correct typographical errors.

Revised form FL-692, *Minutes and Order or Judgment (Governmental)*, corrects spacing errors and the reference to a paragraph number, modifies some instructions on the *Information Sheet on Changing Child Support Order* and updates the translation, and adds an omitted phrase in item 14(d) regarding payment of a percentage of costs as additional child support. In addition, Assembly Bill 3078 (Stats. 2004, ch. 171) amends section 1005 of the Code of Civil Procedure to provide that service of a notice of motion

must be at least 16 court days before the hearing instead of 21 calendar days. Page 7 is amended to reflect this change. Other changes would be made to comply with new forms guidelines and to correct typographical errors.

In addition, the manner in which forms FL-630 and FL-692 are to be used would be revised. Form FL-630 would be “adopted for alternative mandatory use in lieu of form FL-692,” as indicated in the lower left-hand corner. Form FL-692 would be “adopted for alternative mandatory use in lieu of form FL-615, FL-625, FL-630, FL-665 or FL-687,” as indicated in the lower left-hand corner. Additional revisions to forms FL-615, FL-625, FL-665 and FL-687 are part of the packet entitled Child Support: Miscellaneous Technical Changes (revise forms FL-530, FL-615, FL-625, FL-665, FL-687, and FL-688).

The proposed forms are attached at pages 4–19.

Attachments

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	COURT PERSONNEL: STAMP DATE RECEIVED HERE DO NOT FILE DRAFT 2 12-3-04	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____		
PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: _____ OTHER PARENT: _____		
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Mother <input type="checkbox"/> Father </div> <div> <input type="checkbox"/> First form completed <input type="checkbox"/> Change to previous information </div> </div>		
CHILD SUPPORT CASE REGISTRY FORM		CASE NUMBER: _____

THIS FORM WILL NOT BE PLACED IN THE COURT FILE. IT WILL BE MAINTAINED IN A CONFIDENTIAL FILE WITH THE STATE OF CALIFORNIA.

Notice: Pages 1 and 2 of this form must be completed and delivered to the court along with the court order for support. Pages 3 and 4 are instructional only and do not need to be delivered to the court. If you did not file the court order, you must complete this form and deliver it to the court within 10 days of the date on which you received a copy of the support order. Any later change to the information on this form must be delivered to the court on another form within 10 days of the change. It is important that you keep the court informed in writing of any changes of your address and telephone number.

1. Support order information (*this information is on the court order you are filing or have received*).
 - a. Date order filed: _____
 - b. ☐ Initial child support or family support order ☐ Modification
 - c. Total monthly base current child or family support amount ordered for children listed below, plus any monthly amount ordered payable on past due support (*do not include child care, special needs, uninsured medical expenses, or travel for visitation*):

(1) <input type="checkbox"/> Child support: \$ _____	<input type="checkbox"/> Reserved order <input type="checkbox"/> \$0 (zero) order <input type="checkbox"/> Past due child support: \$ _____
(2) <input type="checkbox"/> Family support: \$ _____	<input type="checkbox"/> Reserved order <input type="checkbox"/> \$0 (zero) order <input type="checkbox"/> Past due family support: \$ _____
(3) <input type="checkbox"/> Spousal support: \$ _____	<input type="checkbox"/> Reserved order <input type="checkbox"/> \$0 (zero) order <input type="checkbox"/> Past due spousal support: \$ _____
(4) Wage withholding was <input type="checkbox"/> ordered <input type="checkbox"/> ordered but stayed until _____	
2. Person required to pay child or family support (*name*):
Relationship to child (*specify*): _____
3. Person or agency to receive child or family support payments (*name*):
Relationship to child (*if applicable*): _____
4. The child support order is for the following children:

<u>Child's name</u>	<u>Date of birth</u>	<u>Social security number</u>
a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____

☐ Additional children are listed on a page attached to this document.

TYPE OR PRINT IN INK

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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You are required to complete the following information about yourself. You are not required to provide information about the other person, but you are encouraged to provide as much as you can. This form is confidential and will not be filed in the court file. It will be maintained in a confidential file with the State of California.

- | | |
|--|--|
| <p>5. Father's name:</p> <p>a. Date of birth:</p> <p>b. Social security number:</p> <p>c. Street address:</p> <p>City, state, zip code:</p> <p>d. Mailing address:</p> <p>City, state, zip code:</p> <p>e. Driver's license number:</p> <p>State:</p> <p>f. Telephone number:</p> <p>g. <input type="checkbox"/> Employed <input type="checkbox"/> Not employed <input type="checkbox"/> Self-employed</p> <p>Employer's name:</p> <p>Street address:</p> <p>City, state, zip code:</p> <p>Telephone number:</p> | <p>6. Mother's name:</p> <p>a. Date of birth:</p> <p>b. Social security number:</p> <p>c. Street address:</p> <p>City, state, zip code:</p> <p>d. Mailing address:</p> <p>City, state, zip code:</p> <p>e. Driver's license number:</p> <p>State:</p> <p>f. Telephone number:</p> <p>g. <input type="checkbox"/> Employed <input type="checkbox"/> Not employed <input type="checkbox"/> Self-employed</p> <p>Employer's name:</p> <p>Street address:</p> <p>City, state, zip code:</p> <p>Telephone number:</p> |
|--|--|
7. ☐ A restraining order, protective order, or nondisclosure order due to domestic violence is in effect.
- a. The order protects: ☐ Father ☐ Mother ☐ Children
- b. From: ☐ Father ☐ Mother
- c. The restraining order expires on (date):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF PERSON COMPLETING THIS FORM)

INFORMATION SHEET FOR CHILD SUPPORT CASE REGISTRY FORM

(Do NOT deliver this Information Sheet to the court clerk.)

Please follow these instructions to complete the *Child Support Case Registry Form* (form FL-191) if you do not have an attorney to represent you. Your attorney, if you have one, should complete this form.

Both parents must complete a *Child Support Case Registry Form*. The information on this form will be included in a national database that, among other things, is used to locate absent parents. When you file a court order, you must deliver a completed form to the court clerk along with your court order. If you did not file a court order, you must deliver a completed form to the court clerk **WITHIN 10 DAYS** of the date you received a copy of your court order. If any of the information you provide on this form changes, you must complete a new form and deliver it to the court clerk within 10 days of the change. The address of the court clerk is the same as the one shown for the superior court on your order. This form is confidential and will not be filed in the court file. It will be maintained in a confidential file with the State of California.

INSTRUCTIONS FOR COMPLETING THE *CHILD SUPPORT CASE REGISTRY FORM* (TYPE OR PRINT IN INK):

If the top section of the form has already been filled out, skip down to number 1 below. If the top section of the form is blank, you must provide this information.

Page 1, first box, top of form, left side: Print your name, address, telephone number, fax number, and e-mail address, if any, in this box. Attorneys must include their State Bar identification numbers.

Page 1, second box, left side: Print the name of the county and the court's address in this box. Use the same address for the court that is on the court order you are filing or have received.

Page 1, third box, left side: Print the names of the petitioner/plaintiff, respondent/defendant, and other parent in this box. Use the same names listed on the court order you are filing or have received.

Page 1, fourth box, left side: Check the box indicating whether you are the mother or the father. If you are the attorney for the mother, check the box for mother. If you are the attorney for the father, check the box for father. Also, if this is the first time you have filled out this form, check the box by "First form completed." If you have filled out form FL-191 before, and you are changing any of the information, check the box by "Change to previous information."

Page 1, first box, top of form, right side: Leave this box blank for the court's use.

Page 1, second box, right side: Print the court case number in this box. This number is also shown on the court papers.

Instructions for numbered paragraphs:

1. a. Enter the date the court order was filed. This date is shown in the "COURT PERSONNEL: STAMP DATE RECEIVED HERE" box on page 1 at the top of the order on the right side. If the order has not been filed, leave this item blank for the court clerk to fill in.
- b. If the court order you filed or received is the first child or family support order for this case, check the box by "Initial child support or family support order." If this is a change to your order, check the box by "Modification."
- c. Information regarding the amount and type of support ordered and wage withholding is on the court order you are filing or have received.
 - (1) Check this box if your order says that child support is ordered. If there is an amount, put it in the blank provided. If the order says the amount is reserved, check the "Reserved order" box. If the order says the amount is zero, check the "\$0 (zero) order" box. Do not include child care, special needs, uninsured medical expenses, or travel for visitation. If the *Order/Notice to Withhold Income for Child Support* (form FL-195) says that there is a monthly amount payable on past due child support, check the box and enter the amount.
 - (2) Check this box if your order says that family support is ordered. If there is an amount, put it in the blank provided. If the order says the amount is reserved, check the "Reserved order" box. If the order says the amount is zero, check the "\$0 (zero) order" box. Do not include child care, special needs, uninsured medical expenses, or travel for visitation. If the *Order/Notice to Withhold Income for Child Support* (form FL-195) says that there is a monthly amount payable on past due family support, check the box and enter the amount.

- (3) Check the spousal support box only if a box is checked in Item 1(c)(1) for child support. If item (c) (1) is checked, put the amount of spousal support in the blank provided. If the order says the amount is reserved, check the "Reserved order" box. If the order says the amount is zero, check the "\$0 (zero) order" box. If the *Order/Notice to Withhold Income for Child Support* (form FL-195) says that there is a monthly amount payable on past due spousal support, check the box and enter the amount.
- (4) Check the "ordered" box if wage withholding was ordered with no conditions. Check the box "ordered but stayed until" if wage withholding was ordered but is not to be deducted until a later date. If the court delayed the effective date of the wage withholding, enter the specific date. Check only one box in this item.
2. a. Write the name of the person who is supposed to pay child or family support.
b. Write the relationship of that person to the child.
3. a. Write the name of the person or agency supposed to receive child or family support payments.
b. Write the relationship of that person to the child.
4. List the full name, date of birth, and social security number for each child included in the support order. If there are more than five children included in the support order, check the box below item 4e and list the remaining children with dates of birth and social security numbers on another sheet of paper. Attach the other sheet to this form.

The local child support agency is required, under section 466(a)(13) of the Social Security Act, to place in the records pertaining to child support the social security number of any individual who is subject to a divorce decree, support order, or paternity determination or acknowledgment. This information is mandatory and will be kept on file at the local child support agency.

Top of page 2, box on left side: Print the names of the petitioner/plaintiff, respondent/defendant, and other parent in this box. Use the same names listed on page 1.

Top of page 2, box on right side: Print your court case number in this box. Use the same case number as on page 1, second box, right side.

You are required to complete information about yourself. If you know information about the other person, you may also fill in what you know about him or her.

5. If you are the father in this case, list your full name in this space. See instructions for a–g under item 6 below.
6. If you are the mother in this case, list your full name in this space.
 - a. List your date of birth.
 - b. Write your social security number.
 - c. List the street address, city, state, and zip code where you live.
 - d. List the street address, city, state, and zip code where you want your mail sent, if different from the address where you live.
 - e. Write your driver's license number and the state where it was issued.
 - f. List the telephone number where you live.
 - g. Indicate whether you are employed, not employed, self-employed, or by checking the appropriate box. If you are employed, write the name, street address, city, state, zip code, and telephone number where you work.
7. If there is a restraining order, protective order, or nondisclosure order, check this box.
 - a. Check the box beside each person who is protected by the restraining order.
 - b. Check the box beside the parent who is restrained.
 - c. Write the date the restraining order expires. See the restraining order, protective order, or nondisclosure order for this date.

If you are in fear of domestic violence, you may want to ask the court for a restraining order, protective order, or nondisclosure order.

You must type or print your name, fill in the date, and sign the *Child Support Case Registry Form* under penalty of perjury. When you sign under penalty of perjury, you are stating that the information you have provided is true and correct.

GOVERNMENTAL AGENCY (under Family Code, §§ 17400,17406): <div style="display: flex; justify-content: space-between;"> <div> TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): </div> <div> FAX NO. (Optional): </div> </div>	FOR COURT USE ONLY <div style="font-size: 24pt; font-weight: bold;">DRAFT 3</div> <div style="font-size: 24pt; font-weight: bold;">12-6-04</div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	CASE NUMBER:
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	
<div style="text-align: center; font-weight: bold;">JUDGMENT REGARDING PARENTAL OBLIGATIONS</div> <div style="display: flex; justify-content: center; gap: 20px;"> <input type="checkbox"/> AMENDED <input type="checkbox"/> SUPPLEMENTAL </div>	

1. a. ☐ **NOTICE: THIS IS A PROPOSED JUDGMENT.** This *Judgment Regarding Parental Obligations* will be entered by the court and will become legally binding unless you fill out and file the *Answer to Complaint or Supplemental Complaint Regarding Parental Obligations (Governmental)* (form FL-610) with the court clerk within 30 days of the date you were served with the *Summons and Complaint or Supplemental Complaint Regarding Parental Obligations (Governmental)* (form FL-600). If you need form FL-610, you may get one from the local child support agency's office, the court clerk, or the family law facilitator. The family law facilitator will help you fill out the forms. To file the answer, follow the procedures listed in the attached instructions.
- b. ☐ **NOTICE: THIS IS A JUDGMENT.** It is now legally binding.
2. **This matter proceeded as follows:**
 - a. ☐ Judgment entered under Family Code section 17430.
 - b. ☐ By court hearing, appearances as follows:

(1) Date:	Dept.:	Judicial officer:
(2) <input type="checkbox"/> Petitioner/plaintiff present	<input type="checkbox"/>	Attorney present (name):
(3) <input type="checkbox"/> Respondent/defendant present	<input type="checkbox"/>	Attorney present (name):
(4) <input type="checkbox"/> Other parent present	<input type="checkbox"/>	Attorney present (name):
(5) Local child support agency attorney (Family Code, §§ 17400,17406) (name):		
(6) <input type="checkbox"/> Other (specify):		
 - c. The obligor (the parent ordered to pay support) is the ☐ petitioner/plaintiff ☐ respondent/defendant ☐ other parent.
3. ☐ This order is based on presumed income for the obligor under Family Code section 17400.
4. ☐ Attached is a computer printout showing the parents' incomes and percentage of time each parent spends with the children. The printout, which shows the calculation of child support payable, will become the court's findings.
5. ☐ This order is based on the attached documents (specify):

THE COURT ORDERS

6. a. The mother and father listed in the complaint are the parents of the children named in item 6b.
- b. Obligor must pay current child support as follows:

<u>Name</u>	<u>Date of birth</u>	<u>Monthly support amount</u>
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(1) ☐ Other (specify):

(2) ☐ For a total of: \$ payable on the: day of each month
beginning (date):

NOTICE: Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent per year.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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6. b. (3) ☐ The low-income adjustment applies.

☐ The low-income adjustment does not apply because (*specify reasons*):

(4) Any support ordered will continue until further order of court, unless terminated by operation of law.

c. ☐ Obligor must pay child support for the past periods and in the amounts set forth below:

<u>Name</u>	<u>Date of birth</u>	<u>Period of support</u>	<u>Amount</u>
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(1) ☐ Other (*specify*):

(2) ☐ For a total of: \$ payable: \$ on the: day of each month
beginning (*date*):

(3) ☐ Interest accrues on the entire principal balance owing and not on each installment as it becomes due.

d. If this is a judgment on a *Supplemental Complaint*, it does not modify or supersede any prior judgment or order for support or arrearage, unless specifically provided.

e. No provision of this judgment can operate to limit any right to collect the principal (total amount of unpaid support) or to charge and collect interest and penalties as allowed by law. All payments ordered are subject to modification.

f. All payments must be made to (*name and address of agency*):

g. **An Order/Notice to Withhold Income for Child Support (form FL-195) will issue.**

h. ☐ Obligor ☐ Obligee (1) must provide and maintain health insurance coverage for the children if it is available through employment or a group plan, or otherwise available at no or reasonable cost, and must keep the local child support agency office informed of the availability of the coverage; (2) if health insurance is not available, provide coverage when it becomes available; (3) within 20 days of the local child support agency's request, complete and return a health insurance form; (4) provide to the local child support agency all information and forms necessary to obtain health-care services for the children; (5) present any claim to secure payment or reimbursement to the other parent or caretaker who incurs costs for health-care services for the children; and (6) assign any rights to reimbursement to the other parent or caretaker who incurs costs for health-care services for the children. If the "Obligor" box is checked, a health insurance coverage assignment will issue.

i. The parents must notify the local child support agency in writing within 10 days of any change in residence or employment.

j. The form *Notice of Rights and Responsibilities—Health-Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.

k. ☐ The following person (the "other parent") is added as a party to this action under Family Code section 17404 (*name*):

l. ☐ Obligor must pay costs of: \$

m. ☐ **The court further orders** (*specify*):

Date:

7. Number of pages attached: _____

JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

Approved as conforming to court order:

Date:



(SIGNATURE OF ATTORNEY FOR OBLIGOR)

GOVERNMENTAL AGENCY (under Family Code, §§ 17400, 17406): <input type="checkbox"/> RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:	FOR RECORDER'S USE ONLY <h1 style="margin: 0;">DRAFT 2</h1> <h2 style="margin: 0;">12-3-04</h2>
TELEPHONE NO.: _____ FAX NO.: _____	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	
NOTICE REGARDING PAYMENT OF SUPPORT <input type="checkbox"/> NOTICE OF ASSIGNED SUPPORT <input type="checkbox"/> SUBSTITUTION OF PAYEE	CASE NUMBER:

1. The obligor (the judgment debtor) in this proceeding is *(name and last known address)*:

2. ☐ The local child support agency is providing services in this proceeding under title IV-D of the Social Security Act.

3. ☐ The local child support agency is no longer providing services as follows:

- a. ☐ No longer enforcing current support only—arrears will continue to be paid to the local child support agency.
- b. ☐ No longer providing any services

4. ☐ The local child support agency gives notice that

- a. ☐ the governmental agency specified in the top left box is substituted as payee.
- b. ☐ the judgment debtor must make all current support payments in this proceeding to *(specify)*:
- c. ☐ the judgment debtor must make all payments on arrearages in this proceeding to
 - (1) ☐ the payee named in item 4b.
 - (2) ☐ other *(specify)*:

d. ☐ an abstract of support judgment or support judgment was originally recorded in the county of *(specify)*:

on *(date)*:

at *(Recorder's identification number)*:

5. ☐ **NOTICE OF ASSIGNMENT:** An assignment of support rights by operation of law has been made to the county named above under Welfare and Institutions Code section 11477(a).

6. ☐ **NOTICE OF SUPPORT COLLECTION:** For purposes of collection only, the governmental agency identified in the top left box is assignee of record of all support obligations as specified below and that agency will appear in this case to enforce

- a. ☐ all support obligations.
- b. ☐ support arrears only.
- c. ☐ medical obligations as required by federal law.

THE SUBSTITUTED PAYEE MUST BE CONTACTED WHEN NOTICE TO A LIENHOLDER MAY OR MUST BE GIVEN.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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7. a. ☐ Each parent must notify the local child support agency in writing within 10 days of any change in residence or employment.
- b. ☐ Each parent must complete a *Child Support Case Registry Form* (FL-191) and file it with the court within 10 days of any change in residence or employment.

Date:

<hr/> (TYPE OR PRINT NAME)		<hr/> (SIGNATURE)
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ACKNOWLEDGMENT
(To be completed only when this form is recorded)

STATE OF CALIFORNIA
COUNTY OF

On _____, before me,
Notary Public, personally appeared:

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(SIGNATURE OF NOTARY)

(Seal)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY <div style="font-size: 1.2em; font-weight: bold;">Draft 6</div> <div style="font-size: 1.2em; font-weight: bold;">12-7-04 CC</div>
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> MINUTES AND </div> <div> <input type="checkbox"/> ORDER <input type="checkbox"/> JUDGMENT </div> <div> <input type="checkbox"/> RECOMMENDED ORDER </div> </div>	

This form may be used for preparation of court minutes and/or as an alternative to forms FL-615, FL-625, FL-665, or FL-687. If this form is prepared as both court minutes and an alternative to one of these forms, then the parties do not need to prepare any additional form of order.

1. **This matter proceeded as follows:** ☐ Uncontested ☐ By stipulation ☐ Contested
 - a. Date: _____ Time: _____ Department: _____
 - b. Judicial officer (name): _____ ☐ Judge Pro Tempore ☐ Commissioner
 Court reporter (name): _____
 Court clerk (name): _____ Bailiff (name): _____
 - c. ☐ Interpreter(s) present (name): _____
 for (name): _____ (specify language): _____
 - d. ☐ Petitioner present ☐ Attorney present (name): _____
 - e. ☐ Respondent present ☐ Attorney present (name): _____
 - f. ☐ Other parent present ☐ Attorney present (name): _____
 - g. Attorney for local child support agency (name): _____
 - h. The obligor (the parent ordered to pay support) for purposes of this order is the ☐ petitioner ☐ respondent
 ☐ other parent.
 - i. ☐ Other (specify): _____
2. ☐ This is a recommended order/judgment based on the objection of (specify name): _____
3. a. ☐ This matter is taken off calendar.
 b. ☐ This entire matter is denied ☐ with ☐ without prejudice.
 c. ☐ This matter is continued at the request of the ☐ local child support agency ☐ petitioner ☐ respondent
 ☐ other parent to:
 Date: _____ Time: _____ Department: _____
 (Specify issues):
 ☐ Petitioner ☐ Respondent ☐ Other parent is ordered to appear at that date and time.
 d. ☐ The court takes the following matters under submission (specify): _____
4. ☐ **Order of examination**
 The ☐ petitioner ☐ respondent ☐ other (specify): _____ was sworn and examined.
 ☐ Examination was held outside of court.
5. **Referrals**
 - a. ☐ The parties are referred to Family Court Services or Mediation.
 - b. ☐ Petitioner ☐ Respondent ☐ Other parent is referred to the family law facilitator.
 - c. ☐ Other (specify): _____

THE COURT FINDS

6. ☐ Respondent ☐ Petitioner ☐ Other parent ☐ was ☐ was not served regarding this matter.
7. ☐ Respondent ☐ Petitioner ☐ Other parent ☐ admits ☐ denies parentage.
8. ☐ The parents of the children named below in item 14(a) are (specify names): _____

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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9. ☐ Respondent ☐ Petitioner ☐ Other parent has read, understands, and has signed the *Advisement and Waiver of Rights for Stipulation* (form FL-694) attachment. He or she gives up those rights and freely agrees that a judgment may be entered in accordance with these findings.
10. a. Guideline support amount: \$
 b. This order ☐ is ☐ is not based on the guideline.
 c. ☐ The attached *Guideline Findings Attachment* (form FL-693) is incorporated into these findings.
 d. ☐ A printout, which shows the calculation of child support payable, is attached and must become the court's findings.
 e. ☐ The child support agreed to by the parents is ☐ below ☐ above the statewide child support guideline. The amount of support that would have been ordered under the guideline formula is \$ _____ per month. The parties have been fully informed of their rights concerning child support. Neither party is acting out of duress or coercion. Neither party is receiving public assistance, and no application for public assistance is pending. The needs of the children will be adequately met by this agreed-upon amount of child support. The order is in the best interest of the children. If the order is below the guideline, no change of circumstances will be required to modify this order. If the order is above the guideline, a change of circumstances will be required to modify this order.
 f. ☐ The low-income adjustment applies.
11. ☐ Arrearages from (specify date): _____ through (specify date): _____ are \$ _____ ☐ including interest ☐ interest not computed and not waived.

THE COURT ORDERS

12. All orders previously made in this action must remain in full force and effect except as specifically modified below.
13. ☐ Genetic testing must be coordinated by the local child support agency.
 a. ☐ Respondent ☐ Petitioner ☐ Mother of the children ☐ Other (specify): _____ and the minor children must each submit to genetic testing as directed by the local child support agency.
 b. ☐ Obligor must reimburse the local child support agency for genetic testing costs of \$ _____
14. a. ☐ Obligor is the parent of the following children and must pay current child support for them.
☐ There is sufficient evidence that the obligor is the parent of the following children to enter a support order, the obligor must pay current child support for them as follows:
- | Name | Date of birth | Monthly basic support amount |
|--|---------------|------------------------------|
| <input type="checkbox"/> Additional children are listed on an attached page. | | |
- b. ☐ Obligor must pay additional support monthly for actual child-care costs:
☐ (specify amount): \$ _____ ☐ one-half ☐ (specify percent): _____ percent of said costs.
 Payments must be made to the ☐ local child support agency ☐ other party ☐ child-care provider.
- c. ☐ Obligor must pay reasonable uninsured health-care costs for the children:
☐ (specify amount): \$ _____ ☐ one-half ☐ (specify percent): _____ percent of said costs.
 Payments must be made to the ☐ local child support agency ☐ other party ☐ health-care provider.
- d. ☐ Obligor must pay additional support monthly for the following (specify):
☐ (specify amount): \$ _____ ☐ one-half ☐ (specify percent): _____
 Payments must be made to the ☐ local child support agency ☐ other party.
- e. ☐ Other (specify): _____
- f. ☐ For a total of: \$ _____ payable on the: _____ day of each month beginning (date): _____
- g. ☐ The low-income adjustment applies.
☐ The low-income adjustment does not apply because (specify reasons): _____
- h. Any support ordered will continue until further order of court, unless terminated by operation of law.

NOTICE: Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent per year.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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15. ☐ Obligor may claim the children for tax purposes as long as all child support payments are current as of the last day of the year for which the exemptions are claimed.

16. ☐ Petitioner ☐ Respondent ☐ Other parent must pay to ☐ petitioner ☐ respondent
☐ other parent
 as ☐ spousal support ☐ family support \$ per month, beginning (date):
☐ payable on the: day of each month.

17. ☐ Obligor must pay child support for past periods and in the amounts set forth below:

Name	Period of support	Amount
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- a. ☐ Other (specify):
 b. ☐ For a total of: \$ payable on the: day of each month
 beginning (date):
 c. ☐ Interest accrues on the entire principal balance owing and not on each installment as it becomes due.

18. ☐ Obligor owes support as follows, as of (date):

a. ☐ Child support: \$ ☐ Spousal support: \$ ☐ Family support: \$ ☐ Other: \$
 b. ☐ Interest is not computed and is not waived.
 c. ☐ Payable: on the: day of each month
 beginning (date):
 d. ☐ Interest accrues on the entire principal balance owing and not on each installment as it becomes due.

19. No provision of this judgment can operate to limit any right to collect all sums owing in this matter as otherwise provided by law.

20. All payments except as otherwise ordered must be made to (name and address of agency):

21. An earnings assignment order is issued.

22. ☐ Obligor ☐ Obligee must (1) provide and maintain health insurance coverage for the children if it is available through employment or a group plan, or otherwise at no or reasonable cost, and must keep the local child support agency informed of the availability of the coverage; (2) if health insurance is not available, provide coverage when it becomes available; (3) within 20 days of the local child support agency's request, complete and return a health insurance form; (4) provide to the local child support agency all information and forms necessary to obtain health-care services for the children; (5) present any claim to secure payment or reimbursement to the other parent or caretaker who incurs costs for health-care services to the children; (6) assign any rights to reimbursement to the other parent or caretaker who incurs costs for health-care services for the children. If the "Obligor" box is checked, a health insurance coverage assignment will issue.

23. ☐ **Job search.** (specify name(s)): must seek employment for at least (specify number): jobs per week and report those job applications and results to the court and the local child support agency at the continuance date. These job applications are to be made in person, not by phone, fax, or e-mail.



24. ☐ For purposes of the licensing issue only, the obligor is found to be in compliance with the support order in this action. The local child support agency must issue a release of license(s).

25. ☐ Notwithstanding any noncompliance issues with the support order in this action, the court finds that the needs of the obligor warrant a conditional release. The local child support agency must issue a release of license(s). Such release is effective only as long as the obligor complies with all payment terms of this order.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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26. ☐ A warrant of attachment/bench warrant issues for *(specify name)*:
- a. ☐ Bail is set in the amount of: \$
- b. ☐ Service is stayed until *(date)*:
27. ☐ The court retains jurisdiction to make orders retroactive to *(date)*:
28. ☐ The court reserves jurisdiction over ☐ all issues ☐ the issues of *(specify)*:
29. The parents must notify the local child support agency in writing within 10 days of any change in residence or employment.
30. The *Notice of Rights and Responsibilities—Health-Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* are attached and incorporated.
31. ☐ The following person (the “other parent”) is added as a party to this action under Family Code sections 17400 and 17406 *(specify name)*:
32. ☐ **The court further orders** *(specify)*:

33. ☐ Number of pages attached: _____

Approved as conforming to court order:	
Date:	
	_____
	(SIGNATURE OF ATTORNEY FOR OBLIGOR)
	_____
	(SIGNATURE OF ATTORNEY FOR LOCAL CHILD SUPPORT AGENCY)

Date:

JUDICIAL OFFICER

☐ Signature follows last attachment.

NOTICE OF RIGHTS AND RESPONSIBILITIES

Health-Care Costs and Reimbursement Procedures

IF YOU HAVE A CHILD SUPPORT ORDER THAT INCLUDES A PROVISION FOR THE REIMBURSEMENT OF A PORTION OF THE CHILD'S OR CHILDREN'S HEALTH-CARE COSTS AND THOSE COSTS ARE NOT PAID BY INSURANCE, THE LAW SAYS:

1. Notice. You must give the other parent an itemized statement of the charges that have been billed for any health-care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 30 days after those costs were given to you.

2. Proof of full payment. If you have already paid all of the uninsured costs, you must (1) give the other parent proof that you paid them and (2) ask for reimbursement for the other parent's court-ordered share of those costs.

3. Proof of partial payment. If you have paid only your share of the uninsured costs, you must (1) give the other parent proof that you paid your share, (2) ask that the other parent pay his or her share of the costs directly to the health-care provider, and (3) give the other parent the information necessary for that parent to be able to pay the bill.

4. Payment by notified parent. If you receive notice from a parent that an uninsured health-care cost has been incurred, you must pay your share of that cost within the time the court orders; or if the court has not specified a period of time, you must make payment (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health-care provider, (3) according to a schedule agreed to in writing by you and the other parent, or (4) according to a schedule adopted by the court.

5. Disputed charges. If you dispute a charge, you may file a motion in court to resolve the dispute, but only if you pay that charge before filing your motion.

If you claim that the other party has failed to reimburse you for a payment, or the other party has failed to make a payment to the provider after proper notice has been given, you may file a motion in court to resolve the dispute. The court will presume that if uninsured costs have been paid, those costs were reasonable. The court may award attorney fees and costs against a party who has been unreasonable.

6. Court-ordered insurance coverage. If a parent provides health-care insurance as ordered by the court, that insurance must be used at all times to the extent that it is available for health-care costs.

a. **Burden to prove.** The party claiming that the coverage is inadequate to meet the child's needs has the burden of proving that to the court.

b. **Cost of additional coverage.** If a parent purchases health-care insurance in addition to that ordered by the court, that parent must pay all the costs of the additional coverage. In addition, if a parent uses alternative coverage that costs more than the coverage provided by court order, that parent must pay the difference.

7. Preferred health providers. If the court-ordered coverage designates a preferred health-care provider, that provider must be used at all times consistent with the terms of the health insurance policy. When any party uses a health-care provider other than the preferred provider, any health-care costs that would have been paid by the preferred health provider if that provider had been used must be the sole responsibility of the party incurring those costs.

Aviso Sobre Derechos y Responsabilidades

Procedimiento relativo a costos de salud y devolución de dichos costos

Si usted tiene una orden de manutención de menores que disponga la devolución de costos incurridos por servicios de salud para menores y costos no cubiertos por el seguro médico, la ley dice lo siguiente:

1. Aviso. Se debe dar al otro padre una factura detallada relacionando los costos cobrados por servicios de salud que no estén cubiertos por seguro médico. Esta factura se le debe dar al otro padre con antelación razonable y no más tarde de 30 días después de haber recibido dichos cobros de pago.

2. Comprobante de pago total. Si usted ya pagó todos los costos de salud correspondientes a individuos no asegurados, deberá: (1) proporcionar al otro padre el comprobante de haber pagado y (2) pedirle al otro padre que le pague la porción de los costos que al otro padre le corresponda, según la orden del tribunal.

3. Comprobante de pago parcial. Si sólo pagó su porción de los costos no cubiertos por el seguro, debe: (1) darle al otro padre un comprobante indicando que ya pagó dicha porción, (2) pedir al otro padre que pague directamente al proveedor de servicios médicos la parte de los costos que al otro padre le corresponda y (3) darle al otro padre la información necesaria para que pague la factura.

4. Pago que le corresponde al padre notificado. Si usted recibe notificación del otro padre indicando costos incurridos por servicios de salud para individuos sin seguro, deberá pagar la porción que le corresponde a usted dentro del plazo ordenado por el tribunal, o si el tribunal no especifica un plazo, usted deberá pagar dichos costos, ya sea, (1) a más tardar en 30 días, desde la fecha en que recibió la notificación sobre los costos por pagar, (2) según un horario acordado por escrito entre usted y el otro padre o (3) según el horario adoptado por el tribunal.

5. Cuando se disputan los costos. Si usted disputa un costo, puede presentar al tribunal una moción (o pedimento) para resolver la disputa. Sólo podrá hacer esto, si paga el costo antes de presentar la moción. Si su reclamo consiste en que la otra parte no le ha pagado a usted por un costo, o que no le ha pagado al proveedor de servicios de salud después de la notificación apropiada, usted puede presentar una moción ante el tribunal para resolver la disputa.

El tribunal asumirá que si los costos ya se han pagado, dichos costos han sido razonables. Si una persona se comporta de una manera que no sea razonable, el tribunal puede imponerle que pague honorarios de abogado.

6. Cobertura de seguro por orden de tribunal. Si un padre tiene seguro de salud por orden del tribunal, ese seguro se usará todo el tiempo, siempre que esté disponible para cubrir los costos de servicios de salud.

a. Responsabilidad de comprobar. La responsabilidad de comprobar ante el tribunal que la cobertura de servicios de salud es inadecuada para los menores recae sobre la parte que reclama que es inadecuada.

b. Costos de cobertura adicional. Si uno de los padres compra un seguro de salud adicional al que haya sido ordenado por el tribunal, dicho padre deberá pagar todo el costo de la cobertura adicional. Y si uno de los padres usa una manera alterna para cubrir gastos médicos que cueste más que la cobertura dispuesta por el tribunal, dicho padre tendrá que pagar la diferencia.

7. Proveedor preferido para servicios de salud.

Si la orden del tribunal especifica un proveedor preferido para servicios de salud, dicho proveedor deberá usarse siempre, según los términos de la póliza del seguro de salud. Si una de las partes decide usar un proveedor que no sea el preferido e incurre costos que podrían haber sido cubiertos por el proveedor preferido si se hubieran utilizado sus servicios, dicha parte asumirá la responsabilidad de cubrir los costos incurridos.

INFORMATION SHEET ON CHANGING A CHILD SUPPORT ORDER

General Information

The court has just made a child support order in your case. This order will remain the same unless a party to the action requests that the support be changed (modified). An order for child support can be modified only by filing a motion to change child support and serving each party involved in your case. If both parents and the local child support agency (if it is involved) agree on a new child support amount, you can complete, have all parties sign, and file with the court a *Stipulation to Establish or Modify Child Support and Order* (form FL-350) or *Stipulation and Order (Governmental)* (form FL-625).

When a Child Support Order May Be Modified

The court takes several things into account when ordering the payment of child support. First, the number of children is considered. Next, the net incomes of both parents are determined, along with the percentage of time each parent has physical custody of the children. The court considers both parties' tax filing status and may consider hardships, such as a child of another relationship. An existing order for child support may be modified when the net income of one of the parents changes significantly, the parenting schedule changes significantly, or a new child is born.

Examples

- You have been ordered to pay \$500 per month in child support. You lose your job. You will continue to owe \$500 per month, plus 10 percent interest on any unpaid support, unless you file a motion to modify your child support to a lower amount and the court orders a reduction.
- You are currently receiving \$300 per month in child support from the other parent, whose net income has just increased substantially. You will continue to receive \$300 per month unless you file a motion to modify your child support to a higher amount and the court orders an increase.
- You are paying child support based upon having physical custody of your children 30 percent of the time. After several months it turns out that you actually have physical custody of the children 50 percent of the time. You may file a motion to modify child support to a lower amount.

How to Change a Child Support Order

To change a child support order, you must file papers with the court. *Remember:* You must follow the order you have now.

What forms do I need?

If you are asking to change a child support order open with the local child support agency, you must fill out one of these forms:

- FL-680 *Notice of Motion (Governmental)* **or** FL-683 *Order to Show Cause (Governmental)* **and**
- FL-684 *Request for Order and Supporting Declaration (Governmental)*

If you are asking to change a child support order that is **not** open with the local child support agency, you must fill out one of these forms:

- FL-301 *Notice of Motion* **or** FL-300 *Order to Show Cause* **and**
- FL-310 *Application for Order and Supporting Declaration (Family Law—Uniform Parentage)* **or**
- FL-390 *Notice of Motion and Motion for Simplified Modification of Order for Child, Spousal, or Family Support*

You must also fill out one of these forms:

- FL-150 *Income and Expense Declaration* **or** FL-155 *Financial Statement (Simplified)*

What if I am not sure which forms to fill out?

Talk to the family law facilitator at your court.

After you fill out the forms, file them with the court clerk and ask for a hearing date. Write the hearing date on form.

The clerk will ask you to pay a filing fee. If you cannot afford the fee, fill out these forms, too:

- Form 982(a)(17) *Application for Waiver of Court Fees and Costs*
- Form 982(a)(18) *Order on Waiver of Court Fees and Costs*

You must serve the other parent. If the local child support agency is involved, serve them too.

This means someone 18 or over—**not you**—must give the other parent copies of your filed court forms at least 16 court days before the hearing. Add 5 calendar days if you serve by mail within California (see Code of Civil Procedure section 1005 for other situations).

The server must also serve blank copies of these forms:

- FL-320 *Responsive Declaration* **and** FL-150 *Income and Expense Declaration*, **or**
- FL-155 *Financial Statement (Simplified)*

Then the server fills out and signs a *Proof of Service* (form FL-330 or FL-335). Take this form to the clerk and file it.

Go to your hearing and ask the judge to change the support. Bring your tax returns from the last 2 years and your last 2 months' pay stubs. The judge will look at your information, listen to both parents, and make an order. After the hearing, fill out:

- FL-340 *Findings and Order After Hearing* **and**
- FL-342 *Child Support Information and Order Attachment*

Need help?

Contact the family law facilitator in your county or call your county's bar association and ask for an experienced family lawyer.

Información sobre cómo cambiar una orden judicial sobre manutención de menores

Información general

El tribunal acaba de dar una orden judicial sobre manutención de menores en esta causa. Esta orden permanecerá en efecto, a menos que alguna de las partes de la causa pida que se modifique. Sólo se puede modificar una orden de manutención de menores si se presenta ante el tribunal una moción (o pedimento) sobre modificación de manutención y si se da una copia de dicha moción a las partes interesadas en la causa. Si ambos padres llegan a un común acuerdo sobre una suma y si la agencia local que vigila la manutención de menores también acepta el acuerdo (si dicha agencia participa), se puede llenar y hacer que cada una de las partes firme una *Estipulación para Establecer o Modificar una Orden de Manutención de Menores* (formulario FL-350) o llenar y hacer que cada una de las partes firme una *Estipulación y Orden (Documento gubernamental)* (formulario FL-625).

¿Cuándo se puede modificar una orden de manutención de menores?

El juez toma varios factores en consideración cuando emite una orden judicial sobre el pago de manutención de menores. Primero, considera, el número de hijos. Luego, determina los ingresos de ambos padres y el porcentaje del tiempo que cada padre asume la custodia física de los hijos. El tribunal estudia el estado tributario (pago de impuestos) de ambas partes y puede tener en cuenta factores de dificultad económica, tales como la existencia de hijos de otra relación. Se puede modificar la orden sobre manutención de menores si ocurre un cambio considerable en los ingresos netos de uno de los padres, un cambio considerable en el tiempo que los menores pasan con cada uno de los padres, o cuando nace un nuevo hijo.

Ejemplos:

- Si a usted se le ha ordenado pagar \$500 mensuales de manutención de menores y luego pierde su empleo. Continuará debiendo \$500 mensuales, más el 10% de intereses sobre la suma de manutención debida, a menos que presente una moción pidiendo que se modifique y se reduzca la suma de manutención y que el tribunal ordene dicha reducción.
- Si usted está recibiendo \$300 mensuales por manutención de menores provenientes del otro padre y los ingresos de ese padre aumentan considerablemente, usted continuaría recibiendo \$300 mensuales, a menos que usted presente una moción para modificar la orden y que el tribunal ordene el aumento de la suma de manutención de menores.
- Si paga manutención de menores basándose en que pasa un 30% de tiempo asumiendo la custodia parcial de sus hijos y después de varios meses, resulta que en efecto pasa el 50% del tiempo a cargo de la custodia física de sus hijos, en dado caso, podrá presentar una moción pidiendo que se reduzca la suma de manutención.

¿Cómo modificar una orden judicial existente sobre manutención de menores?

1. Obtenga y llene los formularios para pedir las modificaciones. Puede pedirlos en la secretaría del tribunal o se los puede pedir al asesor legal del tribunal de familia. También, puede encontrar los formularios en la página de Internet del Concejo Judicial (www.courtinfo.ca.gov) o puede comprarlos a diversos editores de materiales legales. Los siguientes son los formularios que hay que llenar:

— *Orden para dar Razones* (formulario FL-300) o *Aviso de Moción* (formulario FL-301) y *Solicitud para Orden y Declaración Que respalda la solicitud* (formulario FL-310) o *Aviso de Moción y Moción Simplificada para Modificación de Orden de Manutención de Menores* (formulario FL-390) o *Orden para dar Razones (Documento gubernamental)* (formulario FL-683) o *Aviso de Moción (Documento gubernamental)* (formulario FL-680) o *Petición para Orden y Declaración que Respalda la Petición (Documento gubernamental)* (formulario FL-684), si su caso está abierto en la agencia local que vigila la manutención de menores.

— *Declaración de Ingresos y Gastos* (formulario FL-150) o *Declaración Financiera (Simplificada)* (formulario FL-155).

2. Presente los formularios en la secretaría del tribunal y pida una fecha de audiencia. Escriba la fecha de la audiencia en los formularios que piden las modificaciones. Tendrá que pagar al presentar los documentos en la secretaría. Si no tiene los medios para pagar, puede pedir que le exoneren del pago llenando el formulario *Solicitud para Exoneración de Costos de Tribunal* (formulario 982(a)(17)).

3. “Entregue la notificación” de los formularios de modificación. Entregue dicha notificación al otro padre y a la agencia local que vigila la manutención de menores, si dicha agencia participa en el caso. “Entregar la notificación” significa hacer entrega de una copia de los documentos, “según lo pide la ley.” Si la notificación se entrega en persona, normalmente debe hacerse a más tardar 21 días calendarios antes de la audiencia. Por lo general, la notificación se puede entregar por correo, pero en ese caso, debe enviarse a más tardar 26 días calendarios antes de la audiencia. De todas maneras, la entrega la tiene que hacer una persona que tenga por lo menos 18 años de edad y que no sea usted mismo. Quien entregue la notificación debe entregar también todos los documentos que usted haya presentado al tribunal y entregar además un formulario en blanco de *Contestación a Una Orden Judicial* (formulario FL-320) y un formulario en blanco de *Declaración de Ingresos y Gastos (Tribunal de Familia)* (formulario FL-150) o un formulario de *Declaración Financiera (Simplificada)* (formulario FL-155).

4. Presente en la secretaría del tribunal el Comprobante de Notificación (formularios FL-330 o FL-335) para comprobar que los documentos fueron entregados al otro padre y a la agencia local que vigila la manutención de menores, si dicha agencia participa.

5. Asista a la audiencia ante el tribunal. Traiga a la audiencia ante el tribunal sus dos últimas declaraciones de impuestos y sus tres talonarios de pago más recientes. El juez estudiará los formularios que piden la modificación y la respuesta del otro padre, escuchará a ambas partes y emitirá una orden judicial. A usted le corresponde luego preparar el formulario *Conclusiones y Orden Posterior a la Audiencia* (formulario FL-340) con el Anexo Información y Orden Sobre Manutención de Menores (formulario FL-342).

Si no puede llenar estos formularios por sí mismo, puede pedir ayuda. Vaya donde el asesor legal del tribunal de familia de su condado, consulte la lista de referencias del colegio de abogados local o busque en las “páginas amarillas” del directorio telefónico bajo la palabra “attorneys” que significa “abogados” en inglés.

DEERING'S CALIFORNIA ADVANCE LEGISLATIVE SERVICE

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2004 REGULAR SESSION

CHAPTER 339 (Assembly Bill No. 1704)

BILL TRACKING SUMMARY FOR THIS DOCUMENT

2004 Cal ALS 339; 2004 Cal AB 1704; Stats 2004 ch 339

Approved by Governor August 27, 2004. Filed with Secretary of State August 30, 2004. Urgency legislation is effective immediately. Non-urgency legislation will become effective January 1, 2005

To view the next section, type .np* and TRANSMIT.

To view a specific section, transmit p* and the section number. E.g. p*1

DIGEST: AB 1704, Committee on Judiciary. Family law: local child support agencies.

(1) Existing law specifies the information to be contained in an acknowledgment of satisfaction of judgment.

This bill would authorize a local child support agency director or his or her designee to execute and acknowledge an acknowledgment of satisfaction of judgment if the agency has been providing child support services, as specified, to be recorded pursuant to paragraph (1).

(2) Existing law sets forth the required informational contents of judgments for paternity and orders for child support.

This bill would make those requirements inapplicable in cases in which a local child support agency is providing child support services, and would make related changes.

(3) Existing law authorizes a local child support agency to serve a respondent with a form of a proposed judgment specifying his or her presumed income if the actual income is not known to the agency.

This bill would revise the determination of that presumed income.

(4) Existing law authorizes hearings regarding support orders that involve an out-of-state party to be conducted by telephone conference or other remote means.

This bill would extend this authorization to instances in which both parents reside in California, and would require the Judicial Council to adopt rules of court regarding such hearings on or before July 1, 2005.

(5) Existing law provides that once a parent has requested or is receiving support enforcement services, a local child support agency or the Attorney General is required to serve on a parent all child support pleadings served on the agency, as specified.

This bill would impose a state-mandated local program by extending this requirement to paternity pleadings served on a local child support agency. The bill would also apply to paternity pleadings served on the Attorney General.

(6) Existing law authorizes a court, on terms that may be just, to relieve a defendant from that part of a judgment or order concerning the amount of child support to be paid in an action filed by a local child support agency.

This bill would specify that a court may set aside that part of the judgment or order, and require the Judicial Council to revise related forms effective July 1, 2005.

(7) Existing law authorizes certain documents to be recorded without acknowledgment, certificate of acknowledgment, or further proof.

This bill would authorize to be recorded under these provisions a notice of support judgment and other specified documents completed and recorded by a local child support agency or a state agency acting pursuant to specified provisions of the federal Social Security Act.

(8) Existing law authorizes each trial court to establish and appoint any subordinate judicial officers that are deemed necessary for the performance of subordinate judicial duties, and provides that, as of a specified date, all persons who were authorized to serve as subordinate judicial officers are authorized to serve as subordinate judicial officers at their existing salary rate, which may be a percentage of the salary of a judicial officer.

This bill would provide that certain child support commissioners shall receive a salary equal to 85% of a superior court judge's salary.

(9) Existing law authorizes a support obligor to apply for a claim of exemption from a levy by the Franchise Tax Board, as specified.

This bill would limit that authorization to specified instances in which the support obligor is in compliance with scheduled payments on child support arrearages.

(10) Existing law specifies the persons who may inspect a case file with respect to juvenile court proceedings.

This bill would add to the list of persons so authorized, a local child support agency for purposes of establishing paternity and establishing and enforcing child support orders.

(11) This bill would also incorporate further amendments to Section 827 of the Welfare and Institutions Code proposed by AB 2228, contingent upon its prior enactment.

(12) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$ 1,000,000 statewide and other procedures for claims whose statewide costs exceed \$ 1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

SYNOPSIS: An act to amend Section 724.060 of the Code of Civil Procedure, to amend Sections 4014, 4202, 5002, 17400, 17406, 17432, and 17500 of, and to add Section 5003 to, the Family Code, to amend Section 27282 of the Government Code, to amend Section 19271.6 of the Revenue and Taxation Code, and to amend Section 827 of the Welfare and Institutions Code, relating to family law.

NOTICE: [A> Uppercase text within these symbols is added <A]

* * * indicates deleted text

TEXT: The people of the State of California do enact as follows:

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[*2] SECTION 2. Section 4014 of the Family Code is amended to read:
§ 4014.

(a) Any order for child support issued or modified pursuant to this chapter shall include a provision requiring the obligor and child support obligee to notify the other parent or, if the order requires payment through an agency designated under Title IV-D of the Social Security Act (42 U.S.C. Sec. 651, et seq.), the agency named in the order, of the name and address of his or her current employer.

(b) [A> THE REQUIREMENTS SET FORTH IN THIS SUBDIVISION APPLY ONLY IN CASES IN WHICH THE LOCAL CHILD SUPPORT AGENCY IS NOT PROVIDING CHILD SUPPORT SERVICES PURSUANT TO SECTION 17400. <A] To the extent required by federal law, and subject to applicable confidentiality provisions of state or federal law, any judgment for paternity and any order for child support entered or modified pursuant to any provision of law shall include a provision requiring the child support obligor and obligee to file with the court all of the following information:

- (1) Residential and mailing address.
- (2) Social security number.
- (3) Telephone number.
- (4) Driver's license number.
- (5) Name, address, and telephone number of the employer.
- (6) Any other information prescribed by the Judicial Council.

The judgment or order shall specify that each parent is responsible for providing his or her own information, that the information must be filed with the court within 10 days of the court order, and that new or different information must be filed with the court within 10 days after any event causing a change in the previously provided information.

(c) [A> THE REQUIREMENTS SET FORTH IN THIS SUBDIVISION SHALL ONLY APPLY IN CASES IN WHICH THE LOCAL CHILD SUPPORT AGENCY IS NOT PROVIDING CHILD SUPPORT SERVICES PURSUANT TO SECTION 17400. <A] Once the child support registry, as described in Section 16576 of the Welfare and Institutions Code is operational, any judgment for paternity and any order for child support entered or modified

pursuant to any provision of law shall include a provision requiring the child support obligor and obligee to file and keep updated the information specified in subdivision (b) with the child support registry.

(d) The Judicial Council shall develop forms to implement this section. The forms shall be developed so as not to delay the implementation of the Statewide Child Support Registry described in Section 16576 of the Welfare and Institutions Code and shall be available no later than 30 days prior to the implementation of the Statewide Child Support Registry.

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